

ORIGINAL

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Approved: Nicholas W. ChiuchioNICHOLAS W. CHIUCHIOLO/TARA M. La MORTE
Assistant United States AttorneysBefore: HONORABLE BARBARA C. MOSES
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
	:	
- v. -	:	Violation of 21 U.S.C.
	:	§ 846
DORLYN TAVAREZ MOTA,	:	
a/k/a "Papeleta,"	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	BRONX
	:	
-----X	:	

STATE OF NEW YORK) ss:
SOUTHERN DISTRICT OF NEW YORK)

MICHAEL CARULLO, being duly sworn, deposes and says that he is a Task Force Officer with the Drug Enforcement Administration ("DEA") assigned to the Newark, New Jersey Division Office, and charges as follows:

COUNT ONE
(Narcotics Conspiracy)

1. In or about September 2018, in the Southern District of New York and elsewhere, DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and object of the conspiracy that DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, conspired to distribute and

possess with intent to distribute was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 846.)

The bases for my knowledge of the foregoing charge are, in part, as follows:

4. I am a Task Force Officer with the DEA and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement agents and other individuals. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Based on my participation in this investigation, including my review of reports and my conversations with other law enforcement officers, I am aware of the following, in substance and in part:

a. On or about the evening of September 17, 2018, law enforcement officers observed an individual ("CC-1") sitting in the driver's seat of a black vehicle ("Vehicle-1") parked in the Bronx, New York. Law enforcement officers also observed a second individual, who is now cooperating with law enforcement ("CW-1"¹) in the front passenger seat of Vehicle-1.

b. Law enforcement officers then observed another Individual ("Individual-1") enter the rear passenger seat of

¹ Prior to September 17, 2018, CW-1 had provided assistance to law enforcement in exchange for monetary benefits. CW-1 has since pled guilty to narcotics and false statement charges pursuant to a cooperation agreement, and is cooperating with the Government in the hope of leniency at sentencing. Information provided by CW-1 in the course of this investigation has proven reliable and been corroborated by, among other things, surveillance, recorded telephone calls, and search warrant returns.

Vehicle-1. CW-1 and Individual-1 then exited Vehicle-1, walked towards a second vehicle ("Vehicle-2"), and entered of Vehicle-2.

c. Law enforcement officers approached Vehicle-1 and announced themselves as law enforcement, at which point officers observed CW-1 exit Vehicle-2 and flee by foot. Law enforcement officers apprehended CW-1.

d. Law enforcement officers observed on the passenger floor of Vehicle-1 one brick-shaped package wrapped in clear plastic which, based on their training and experience, they believed to be approximately one kilogram of heroin. Based on my review of laboratory testing results, I know that the suspected narcotics subsequently tested positive for the presence of approximately 985.4 grams (net weight) of heroin.

e. CW-1 has stated the following to law enforcement, in substance and in part:

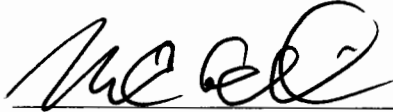
- i. DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, supplies kilogram quantities primarily of heroin and cocaine.
- ii. On or about September 17, 2018, TAVAREZ MOTA instructed CW-1 to sell a kilogram of heroin to a customer who had initially requested approximately six kilograms.

6. Based on my review of iCloud data pertaining to an iCloud account ("Account-1"), obtained pursuant to a judicially-authorized search warrant, I have learned that Account-1 contains photographs that, based on my training and experience, appear to depict the following: quantities of narcotics being weighed on a digital scale; kilogram quantities of narcotics; and a large quantity of U.S. currency inside of a box with a handwritten ledger listing a total of \$50,000. Based on information provided by CW-1, as well as my review of the content of Account-1, which includes voice memos containing the voice of DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, I believe that Account-1 is associated with TAVAREZ MOTA.

7. Based on my review of iCloud data pertaining to an iCloud account ("Account-2") associated with another individual, obtained pursuant to a judicially-authorized search warrant, I have learned that Account-2 contains a photograph of DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, mixing beige

colored powder. The photograph's metadata reflects a date of July 16, 2018. Based on my training and experience, and participation in this investigation, I believe that the beige colored powder is heroin.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of DORLYN TAVAREZ MOTA, a/k/a "Papeleta," the defendant, and that he be arrested, and imprisoned and bailed, as the case may be.



MICHAEL CARULLO
Task Force Officer
Drug Enforcement Administration

Sworn to before me this
1st Day of July, 2019



THE HONORABLE BARBARA C. MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK